

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MARY JOAN FORESTI and DENNIS FORESTI,
Plaintiffs,

-v-

6:05 -CV-807

J.C. PENNEY COMPANY, INC.
Defendant.

J.C. PENNEY CORPORATION, INC.,
Third-Party Plaintiff,

vs

USI SERVICES GROUP, INC.,
Third-Party Defendant.

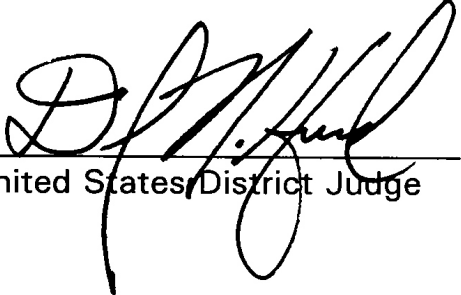
DAVID N. HURD
United States District Judge

ORDER

Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on July 13, 2007, in Utica, New York, it is hereby

ORDERED that third-party defendants' motion for summary judgment is DENIED.

IT IS SO ORDERED.


United States District Judge

Dated: July 13, 2007
Utica, New York.